

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence, totaling 4 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-672-9306 (Central number) on the below date:

Date: March 25, 2005 Name: David W. Okey, Esq. Signature: DW. Okey

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appl. of: Yan Zhou et al  
 Appl. No.: 10/652,269  
 Filed: August 28, 2003  
 For: Yarying Refractive Index Optical Medium  
 Using at Least Two Materials with  
 Thicknesses Less Than a Wavelength

Attorney Docket No: 10095/18

Mail Stop Amendment  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Examiner: Erin D. Chiem  
 Art Unit: 2883

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 MAR 25 2005**

**TRANSMITTAL**

Sir:

Attached is/are:

- Response to Restriction Requirement  
 Return Receipt Postcard

Fee calculation:

- No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
				Rate	Add'l Fee	or	Rate
Total		Minus		x \$25=			x \$50=
Indep.		Minus		x 100=			x \$200=
First Presentation of Multiple Dep. Claim				+\$180=			+\$360=
				Total	\$	Total	\$

Fee payment:

- A check in the amount of \$ \_\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$ \_\_\_\_\_. (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

DW. Okey

25 MAR 2005

Date

David W. Okey, Esq. (Reg. No. 42,959)

I hereby certify that this correspondence is transmitted via facsimile to 1-703-872-9306, to the United States Patent Office and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on March 25, 2005

Date of Deposit

David W. Okey, Regis. No. 42,959

Name of applicant, assignee or  
Registered Representative

25 MARCH 2005

Date of Signature

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MAR 25 2005

Our Case No. 10095/18

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Yan Zhou et al.	)	
Serial No. 10/652,269	)	Examiner: Erin D. Chiem
Filing Date: August 28, 2003	)	Group Art Unit No. 2883
For: Varying Refractive Index Optical Medium Using at Least Two Materials with Thicknesses Less Than a Wavelength	)	

### RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Office Action with a Restriction Requirement mailed on February 25, 2005, Applicants have timely responded in accordance with the certificate of facsimile transmission above. Applicants traverse the restriction requirement, elect Group I and elect Species 3, upon which species read Claims 1, 4, 10-20, 22-36, and 38-42.

Remarks/Arguments begin on p. 2 of this paper.